



Little River Band of Ottawa Indians
Natural Resource Commission
375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # NRC-09-0808-01

Emergency Regulation Adopting Elk Hunting Regulations

WHEREAS, the Little River Band Tribal Council, in the Natural Resource Commission Ordinance (NRCO) #03-500-01, delegated to the Natural Resource Commission emergency powers; and

WHEREAS, the emergency power authorize the Commission, pursuant to the NRCO, section 6.02e "to adopt, when deemed necessary by the Commission, such emergency regulations not to exceed 90 days in duration, including, but not limited to, restrictions on seasons, bag or creel limits, or method of harvest, as may be necessary to protect fish, wildlife, and plant populations, or other natural resources"; and

WHEREAS, the Commission has deemed that there is the need to enact emergency regulations on all parcels of land, including Gathering Grounds, collectively under the jurisdiction of the Little River Band of Ottawa Indians ("LRBOI") governing all Tribal members for all activities including, but not limited to, hunting; and

WHEREAS, the Commission has deemed that the allowance of any unregulated hunting activities on lands within the jurisdiction of the LRBOI would unduly endanger the health and/or well-being of any Tribal member participating in any such activity.

NOW THEREFORE, THE NATURAL RESOURCE COMMISSION ADOPTS the attached Regulations to govern Elk hunting activities, by Tribal members on lands, within the jurisdiction of the LRBOI, unless specifically and expressly stated otherwise herein.

THE NATURAL RESOURCE COMMISSION FURTHER RESOLVES that this Emergency Regulation shall expire on November 9, 2009.

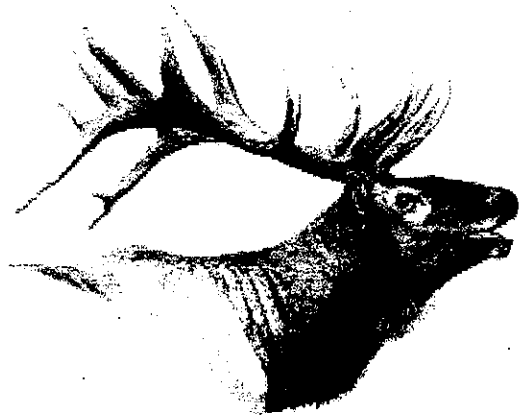
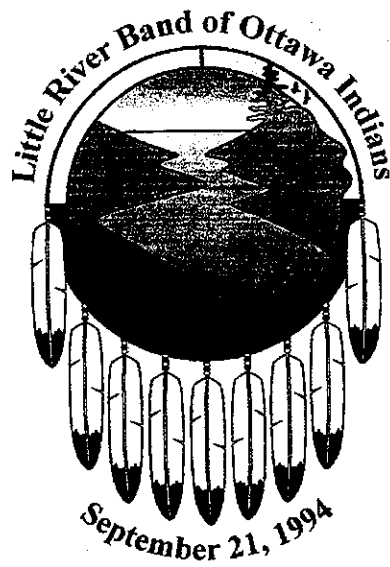
Certificate of Adoption

This resolution was adopted by the Little River Band of Ottawa Indians Natural Resource Commission at an emergency meeting held at the Community Center located at Aki Maadiziwin, on August 8, 2009 by a vote of 4 FOR 0 AGAINST 0 ABSTAIN 0 ABSENT; a quorum of the commission being present for such vote.

Date: August 8, 2009



Michael Ceplina, Chairperson
Natural Resource Commission



Elk Hunting Regulations
Giiwasedaa Mazina'igan

Elk Hunting Rules

1. Please reference Current Hunting Regulation Book for additional information regarding hunting regulations.
2. Harvest Tags are valid only in the elk management unit assigned to them.
3. Upon harvesting an elk, immediately attach a completely filled out harvest/transport tag to the elk.
4. The harvest/transport tag shall remain attached to the elk for transportation until harvest seal is attached at a designated registration station. The elk must be registered within 72 hours of kill. Registration is mandatory and successful hunters must turn in the head of their elk for Bovine Tuberculosis testing. Elk heads can be returned upon request.
5. A legal and current Tribal License and harvest/transport tag is required to take, transport, and possess elk.
6. Lawfully taken elk may be transported within or outside the Ceded Territory provided that the Tribal member must have a valid and current Tribal license in possession and carcass is properly sealed.
7. Firearm elk hunters are required to wear a minimum of one (1) square foot of hunters orange that is visible from all sides.
8. Elk hunters may hunt from a tree or portable raised platform.
9. All raised platforms and ground blinds constructed from non-native, processed materials and erected or used on public and

tribal lands must have the user's name and Tribal identification number permanently affixed in legible English letters a minimum of 2" high.

10. All portable blinds must be removed from public and tribal lands at the end of each day's hunt.
11. Raised hunting platforms and/or ground blinds, whether made of natural or man-made materials, that are erected or used on public or tribal land may not be affixed or attached to any tree by nails, screws, bolts or any item that penetrates through the bark of a tree, except that a "T" bolt or similar device supplied by a tree stand manufacturer for safety purposes may be used.
12. Man made pit blinds are prohibited on public and tribal lands.
13. Baiting for Elk is prohibited.

Weapons and Shooting Hours

1. No Tribal member shall use in hunting, pursuing or killing a wild animal, or possess in an area frequented by wild animals, any fully automatic firearm.
2. No Tribal member shall use in hunting, pursuing or killing a wild animal, or possess in an area frequented by wild animals, any semi-automatic shotgun or center-fired rifle capable of holding more than six (6) shells in both the chamber or magazine combined, or use cartridges containing either tracer or exploding bullets.
3. For firearms, only soft point or expanding bullets may be used.
4. Silencers. No Tribal member shall use, or be in possession of,

- a device or apparatus known as a silencer.
5. In hunting Elk, a Tribal member may not use a firearm other than a center fire rifle of .243 caliber or larger, rifled muzzle loader of .40 caliber or larger, smooth bore muzzle loader of .45 caliber or larger, or 12 gauge shotgun or larger using slugs.
 6. In hunting Elk a Tribal member may use a bow or crossbow, provided that the bow has a pull of at least 30 pounds (bows) or 100 pounds (crossbows) and arrows with broad heads have a cutting surface a minimum of one inch (1") diameter.
 7. Lawful shooting hours are one half (1/2) hour before sunrise to one half (1/2) hour after sunset local time.
 8. In hunting Elk, no Tribal member shall shoot a firearm, bow or crossbow outside of lawful shooting hours.
 9. Tribal member may hunt Elk with a conventional (smokeless powder) handgun .357 magnum caliber or larger and loaded with straight-walled cartridge or a .243 center fire caliber or larger bottleneck cartridge and may be single or multiple shot but cannot exceed a maximum capacity of nine (9) rounds in the barrel and magazine combined. Rifled muzzle loader handguns must be .40 caliber or larger and smooth bore muzzle loader handguns must be .45 caliber or larger.
 10. No concealed weapons on Tribal lands.
 11. Tribal member may carry their handgun in accordance with a concealed pistol license or while in the field, handguns must

be carried in plain view. Tribal members may transport their handguns in accordance with their concealed pistol license or unloaded and closed in approved case then stored in the vehicles trunk or where the firearm cannot be readily accessible to the occupant of the vehicle.

Elk Hunt Orientation

Successful applicants must attend a half-day training session prior to the scheduled elk hunt. The location of the elk hunt orientation will be provided to successful applicants. The orientation will cover hunter safety, elk behavior, carcass handling, marksmanship, hunting rules and regulations.

Marking The Site of Your Kill

1. Flagging is not required if Tribal or State law enforcement or designated Tribal or State Natural Resource employee is able to check the kill site before removing the harvested elk.
2. If designated staff is not able to field check the harvested elk follow steps below to properly mark the kill site.
 - A. Tie a 1' x 1' flag to a tree over the gut pile or if the elk was shot in a field, stand a stick up over the gut pile and attach flag. Then use the fluorescent ribbon and flag every 50 feet or less depending on visibility. Flag trees so that approximately 18 inches of flagging is hanging. Once you reach the main road, place your second 1' x 1' flag on a tree.

- B. No elk shall be moved from the kill site until the animal is tagged properly and the area is flagged with provided flagging for easy sighting by designated personnel.
- C. Flagging of kill site must be out to the nearest named road. Not a two track.
- D. Flagging must be visible from one flag to another.

Wounded Elk Record

If an Elk is wounded and not recovered please contact a Tribal or State law enforcement officer or designated Tribal or State Natural Resource employee. Information such as date of incident, location, where the animal was hit, and description of the incident will be collected.

Bovine Tuberculosis and Elk

Like white-tailed deer, elk are susceptible to bovine tuberculosis (TB). Because the elk range lies within an area shared by TB infected deer, the risk of transmission to elk is very real.

Research with elk and red deer in other countries suggests that should TB become established in the elk herd, it could be spread more rapidly than it has in deer. Since 1998, the submission of elk heads for examination has been mandatory. Since 2000 a total of 5 harvested elk have been confirmed positive for bovine TB.

2009 Tribal Elk Hunting Seasons

Tribal open season for taking Elk with weapon of choice

2009 Available Harvest Tags

8 Tags—(2 Bulls and 6 Cows)

Hunt Period 1:

September 1-4 and September 11-15 on both public and private lands in elk management unit “L” within the 1836 Ceded Territory.

Hunt Period 2:

October 13-21 on both public and private lands in elk management unit “L” within the 1836 Ceded Territory.

Hunt Period 3.

December 8-30 on both public and private lands in Alpena, Antrim, Cheboygan, Charlevoix, Crawford, Emmet, Montmorency, Oscoda, Otsego and Presque Isle counties within the 1836 Ceded Territory. See the map on page 8 for specific managements units.

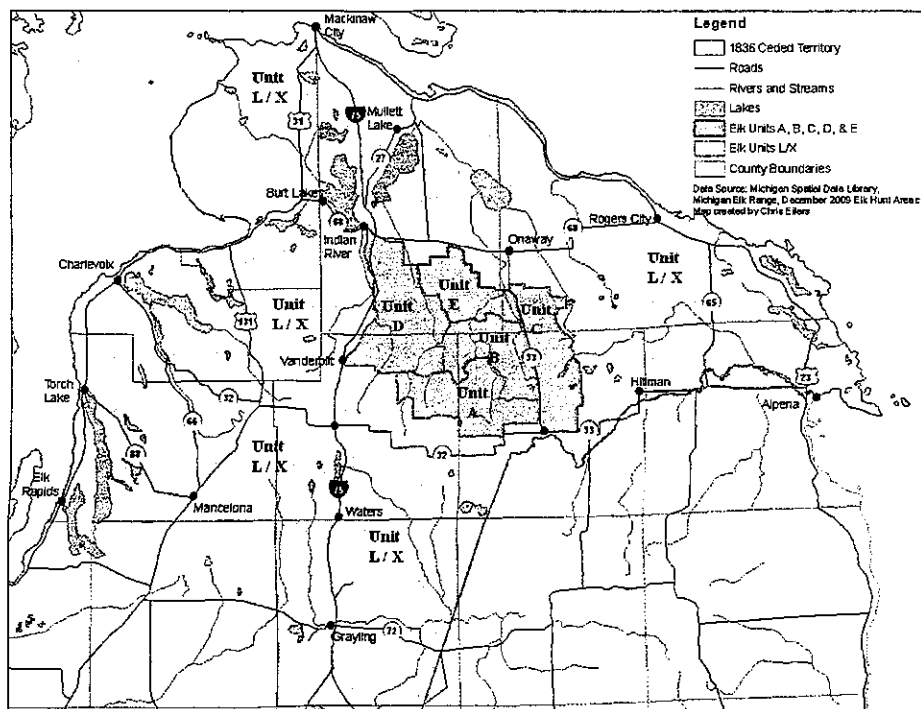
Tentative Hunt Period 4:

This hunt would be held January 13-17, 2010, only in elk management units where additional harvest is necessary to achieve population management goals.

Elk Management Map Units On Page 8.

For more information contact:

Natural Resource Department: 866-723-1594
Conservation Law Enforcement 231-723-6241



Mike Ceplina

From: Mike Ceplina
Sent: Monday, August 10, 2009 8:21 AM
To: Virgil Johnson
Subject: Emergency Elk Regulation Amendment: NRC 090808-08

Once a person receives a elk permit that person is ineligible for 5 years to be considered for any drawing within that 5 year period after receiving a permit. If said person cannot use the permit an alternate person from the alternate list will be notified by the Natural Resource Department. If an alternate person that is contacted is unable to use the permit that person will be ineligible for the next 5 years. If an alternate person on the list cannot be contacted that person is still eligible for future drawings.

Natural Resource Commissioner


Michael J Ceplina